

Docket No.: 2005P12937US
App. No.: 09/945,350

REMARKS

Claims 1-102 are pending in the Application.

Election/Restrictions

The Examiner has stated that the application contains claims directed to the following distinct species of the claimed invention:

<u>Species</u>	<u>Figure(s)</u>
1	6-8
2	9-10
3	11
4	12
5	13
6	14

Applicant respectfully requests reconsideration of the restriction requirement. The species are sufficiently closely related, that examination of all of the claims would pose no serious burden on the Examiner.

Additionally, as the Examiner is well aware, Applicant is required to seasonably challenge statements by the Examiner that are not supported on the record, and failure to do so will be construed as an admission by Applicant that the statement is true, M.P.E.P. §2144.03. Therefore, in accordance with Applicant's duty to seasonably challenge such unsupported statements, the Examiner is hereby requested to support his assertion that the application contains claims directed to six distinct species.

As Applicant is required to elect a single designated species, Applicant elects Specie 1 associated with FIGS. 6-8 as classified by the Patent Office. The Patent Office further stated claims 1, 23, 28, 31, 32, 47 and 49 are generic. In light of the

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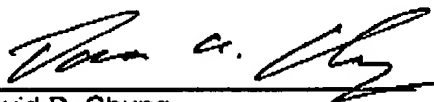
Patent Office's requirement Applicant includes a listing of claims readable thereon from Specie 1, Applicant elects Specie I, claims 1-102.

Conclusion

Applicant respectfully submits that all claims are allowable, and it is respectfully requested that the entire application now be passed to formal allowance. It is believed no fee is due for this response, however, should the examiner disagree, the Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment, to Deposit Account No. 19-2179, during the entire pendency period of this application.

Respectfully Submitted,

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